



OUT16/5080

Ms Pamela Morales
Industry Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Pamela.Morales@planning.nsw.gov.au

Dear Ms Morales,

**Port Kembla Bulk Liquids Terminal (SSD_7264)
DPI response to request for comment on the exhibited EIS**

I refer to your email dated 10 December 2015 to the Department of Primary Industries in respect to the above matter.

Comment by DPI Water

The Department of Primary Industries, Water (DPI Water) has reviewed the subject Environmental Impact Statement (EIS). DPI Water considers that issues of interest to the Department have been adequately addressed in the EIS and has no objection to the project as proposed. The following comments however are provided for your attention and consideration.

Potential to encounter groundwater:

Sections 7.13.4 and 7.13.5 of the EIS indicate that whilst unlikely, groundwater may be encountered during site excavations. If groundwater is encountered during excavation, a groundwater assessment will be undertaken to determine the volume and quality of the water to determine if appropriate permits are required. This procedure is also detailed in the Draft Statement of Commitments for Soils and Groundwater in Table 10-1. DPI Water concurs with this approach.

DPI Water should be consulted where any volume of groundwater is proposed to be extracted to determine any licensing requirements under the Water Management Act 2000 prior to undertaking that extraction.

Section 5.2.11 notes that under section 89J of the Environmental Planning & Assessment Act 1979, SSD projects are exempt from requiring works and use approvals and controlled activity approvals. However there are no exemptions for volumetric licensing. As such, a Water Access Licence may be required prior to undertaking any site dewatering.

For further information please contact David Zerafa, Senior Water Regulation Officer (Nowra Office) on 4428 9142 or at david.zerafa@water.nsw.gov.au.

Yours sincerely



Mitchell Isaacs

Director, Planning Policy & Assessment Advice

05/02/2016